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IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,)	No. CR 07-0738 MMC
11 v.)	STIPULATION AND [PROPOSED]
12 NOE ARIAS-ORDONEZ,)	ORDER FOR CONTINUANCE OF
13 Plaintiff,)	BRIEFING SCHEDULE ON
14 Defendant.)	MOTION TO DISMISS
15)	Hearing Date: May 7, 2008
16)	Time: 2:30 p.m.
)	Court: Hon. Maxine M. Chesney

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 18 The parties hereby stipulate and ask the Court to order as follows;

- 19 1. Defendant has filed a Motion to Dismiss in the aforementioned matter. Under the current
- 20 briefing schedule, defendant's supplemental motion is due April 9, 2008;
- 21 2. The issues presented require additional legal research and analysis;
- 22 3. Defense counsel thus seeks a one-week continuance of the briefing schedule, and the
- 23 government has no opposition to the request. The proposed revised briefing schedule is set
- 24 forth below;
- 25 4. The parties also jointly agree that time under the Speedy Trial Act has been tolled while the
- 26 motion filed by the defendant is under consideration by the Court. *See* 18 U.S.C. §

1 3161(h)(1)(F).

2
3 **IT IS SO STIPULATED**

4 Dated: April 7, 2008

5 _____/S/
6 OWEN MARTIKAN
7 Assistant United States Attorney

8 Dated: April 7, 2008

9 _____/S/
ELIZABETH M. FALK
10 Assistant Federal Public Defender

11 **[PROPOSED] ORDER**

12 For the reasons stated herein, and for good cause shown, the briefing schedule and motion
13 hearing date previously established by this Court for Defendant's Motion to Dismiss in the
14 aforementioned case are hereby VACATED. The briefing schedule shall be altered as follows:

15 Dismiss
Motion to Suppress Due: April 16, 2008
16 Response Due: April 23, 2008
17 Reply Due: April 30, 2008
18 Motion Hearing: May 7, 2008 at 2:30 p.m.

19
20 **IT IS SO ORDERED.**

21 Dated: April 8, 2008

22 
23 THE HONORABLE MAXINE M. CHESNEY
24 UNITED STATES DISTRICT JUDGE